

CHAPTER 20.

INCORPORATION OF MALVERN LEGALIZED.

H. F. 102. AN ACT to Legalize the Incorporation, Ordinances and Acts of the Officers of the Town of Malvern, in the County of Mills.

Preamble.

WHEREAS, The town of Malvern, in the county of Mills, was incorporated in the year A. D. 1872, under the provisions of chapter sixty-one of the laws of 1868. Said corporation exercised all the rights and privileges of an incorporated town, passing ordinances, making by-laws and levying taxes, etc., as authorized by law, until September, A. D. 1878, at which time it was ascertained that the commissioners of incorporation had failed to file for record the preliminary measures taken by the voters of said town as required by law;

Failed to record preliminary measures.

WHEREAS, The legal voters of said town continuously after the adoption of said charter in 1872, and up to the year 1878, elected officers as provided thereby, and by said officers continuously conducted the municipal affairs of said town, as though it had been regularly incorporated, up to the year 1878; and,

Error in location.

WHEREAS, In the year 1878, and after the taking effect of chapter 10, title IV, of the Code of 1873, at which time it was ascertained that the commissioners of incorporation had failed to place on record the preliminary measures taken by the voters of said town; and also there was an error in the location of said town, the same being incorporated on sections twenty-nine and thirty, whereas the town was in fact located on sections twenty-nine and thirty-two; and,

WHEREAS, There were doubts as to the legality of said incorporation, and of the acts of all the officers of the same during that time; and,

Petition to re-incorporate.

WHEREAS, The legal voters did, at the November term, A. D. 1878, at [of] the circuit court of the state of Iowa, and in accordance with chapter 10, title IV, of the Code of 1873, present to the circuit court a petition to re-incorporate said town. An order was duly issued and commissioners duly appointed, and said town was duly incorporated, and has since that time exercised all the rights and privileges of an incorporated town under chapter 10, title IV, of the Code of 1873, and all amendments thereof; but doubts having arisen as to the regularity of the original incorporation of said town, and its subsequent reorganization under said chapter 10 of the Code of 1873; therefore,

Legalizing clause.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That the original incorporation of the town of Malvern, in Mills county, with all amendments and changes made in the incorporation of said town, including its reorganization under

said chapter 10 of the Code of 1873, and all ordinances, resolutions and by-laws, except so much thereof as is contained in ordinance number 10, passed April 14, 1879; and of all the officers acting by virtue of authority thereby conferred, be and the same are hereby ratified and legalized and declared to have the same force and effect as if the original incorporation and subsequent reorganization of said town had been regular and in strict and full compliance with the laws then in force.

SEC. 2. This act, being deemed of immediate importance, shall take effect from and after its publication in the Daily State Register, a newspaper published at Des Moines, Iowa, and the Mills County Republican, published at Malvern, Iowa; said publication to be without expense to the state. Publication clause.

Approved, March 4, 1880.

I hereby certify that the foregoing act was published in the *Mills County Republican*, March 12, 1880.

J. A. T. HULL, *Secretary of State*.

CHAPTER 21.

WRIGHT OF A BUSHEL OF HUNGARIAN GRASS AND MILLET SEED.

AN ACT Amendatory to Section 2049 of the Code of 1873, in Relation H. F. 143. to Weights of Hungarian Grass and Millet Seed.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That the words "forty-five" in the twenty-eighth and twenty-ninth lines of section 2049, be and the same are [is] hereby stricken out, and the words "forty-eight" be placed in lieu thereof. Code § 2049 amended making 48 pounds a bushel.

Approved, March 4, 1880.

CHAPTER 22.

DEFINING DUTIES OF COUNTY OFFICERS.

AN ACT Further Defining the Duties of County Officers. [Amend- H. F. 44. ing Section 203, and Chapter 3, Title IV, of the Code.]

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. It is hereby made the duty of each county officer, whenever called upon by the governor or either house of the general assembly so to do, to communicate to the governor or such house any information that may be in his possession as such To furnish governor or either house of the G. A., with information.